

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Higher Education Dept. – Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College, (Boys), Mahabubnagar – Certain irregularities committed while working as Principal – Conclusion of disciplinary action against him under Rule-9 of APRPRs, 1980 – Orders – Issued.

HIGHER EDUCATION (VC.1) DEPARTMENT

G.O.Ms.No. 69

Dated:31-07-2013.

Read the following:-

1. Letter Rc. No.Ser.I-1/917/2006-2, Dated 14.11.2006 of CIE, AP, Hyderabad.
2. G.O.Ms.No.7, Higher Education (VC.II) Dept., Dt.9.1.2008.
3. G.O.Rt..No.39, Higher Education (VC.II) Dept., Dt.9.1.2008.
4. Written Statement of Defense of Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College, (Boys), Mahabubnagar Dt.6.4.2008.
5. G.O.Rt. No.1199, Higher Education (VC.II) Dept., Dt.22.12.2008.
6. From the CIE, AP, Hyderabad, Letter Rc. No.Ser.I-1/917/2006-2, Dated:13-10-2009.
7. Govt. Memo No.8021/VC.II/2007, Higher Education (VC.II) Dept., Dt.15.4.2010
8. Written explanation of Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College, (Boys), Mahabubnagar Dt.14.6.2010.
9. From the Secretary, APPSC, Hyderabad, Letter No.2149/RT/3/2012, Dated 22.7.2013.

ORDER:

Whereas the CIE, AP in his letter in the reference 1st read above, has informed that Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College, (Boys), Mahabubnagar has retired from service on 31.1.2006, and as per the verification report of the State Institute of Vocational Education, O/o CIE, AP, who has entrusted to verify the irregularities committed by the Principals in appointing / sanction of minimum time Scale / drawal of Minimum Time Scale arrears of part Time Vocational Staff, it has been noticed that the above retired Principal has committed certain irregularities while he worked as Principal at Govt. Junior College (Boys), Mahabubnagar. The CIE, AP, Hyderabad has requested the Government to initiate disciplinary action against the above Principal under Rule-9 of APRPRs, 1980.

2. Whereas in the reference 2nd read above, orders were issued for initiation of departmental proceedings against the Principal under sub-clause (i) of clause (b) of sub-rule (2) of Rule-9 of APRPRs, 1980, and the departmental proceedings shall be conducted in accordance with the procedure laid down in Rule-20 of the APCS (CC&A) Rules, 1991. And in the reference 3rd read above, the following Articles of Charges were framed against Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College, (Boys), Mahabubnagar:-

Article-1

“That Sri Mohd. Hassan, Principal (Retd.) while working as Principal at Government Junior College (Boys), Mahabubnagar has submitted proposals for sanction of minimum time scale to Part Time Junior Lecturer, Sri Shyam Sunder Rao, Part Time Junior Lecturers in SEA course and Sri H. Srinivasa Rao, Part Time Junior Lecturer in CT Course and Sri P. Nijalingappa, Part Time Junior Lecturer in EWC course of the College to the competent authority. They did not possess the requisite qualification on the date of their appointment which resulted in sanctioning of Minimum Time scale to the Part Time Junior Lecturers irregularly. He has thus misused official powers and neglected his primary duties. The Government exchequer has been put to loss. Hence, his action is contrary to Rule 3 (1) (3) and (7) of APCS (conduct) Rules, 1964”.

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Article – II

“That the said Sri Mohd. Hassan, Principal (Retired) while working as Principal at Government Junior College (Boys), Mahabubnagar has appointed certain Part Time Junior Lecturers / Part Time Lab Attenders without requisite qualification. He also appointed the Part Time Junior Lecturers / Part Time Lab Attenders in the College on consolidated pay after 25-11-1993 which is against the Act 2 of 1994. He has acted in an irresponsible way towards his duties and in violation of rules. Hence, his action is contrary to Rule 3 (1) (3) and (7) of APCS (conduct) Rules, 1964.

3. Whereas in the reference 4th read above, the Accused Officer has submitted his written statement of defense to the above Articles of charge. After examination, vide reference 5th read above, the RJDIE, Warangal was appointed as Inquiry Officer to enquire into the charges framed against the Accused Officer.

4. Whereas the CIE, AP vide reference 6th read above has forwarded the enquiry report. The Enquiry Officer opined that in the light of the evidence accrued through verification report and the enquiry held against Sri Mohd. Hasan, the appointments made by the Accused Officer and the proposals sent for regularization and extension of Minimum Time Scale and consolidated pay are in violation of rules and provisions under Act-2 of 1994. Hence, the charges are held proved in the enquiry. In the statement enclosed to the enquiry report, the Enquiry Officer mentioned that an amount of Rs.10,48,826/- was paid to the vocational staff of Govt. Junior College (Boys), Mahaboobnagar.

5. Whereas, the enquiry report has been examined with reference to the findings of the Enquiry Officer, and provisionally decided to impose a punishment of 50% cut in pension permanently, besides recovery of the loss caused to Govt. exchequer for an amount of Rs.10,48,826/- against the Accused Officer Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College (Boys), Mahabubnagar for the charges held proved in the enquiry.

6. Whereas in the reference 7th read above, a show cause notice was issued to the Charged Officer Sri Mohd. Hasan, Principal (Retd.) directing to show cause as to why a penalty of 50% cut in pension permanently, besides recovery of Rs.10.48 lakhs shall not be imposed against him for the charges held proved in the enquiry and to submit his explanation. The Charged Officer vide reference 8th read above has submitted his explanation denying the charges and requested to drop the charges framed against him.

7. And whereas, the Government after careful examination of the entire issue, decided to impose the punishment of 50% cut in pension permanently, besides recovery of Rs.10,48,826/- against Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College (Boys), Mahabubnagar. Accordingly, the APPSC was consulted for concurrence. The Secretary, APPSC, Hyderabad vide her letter in the reference last read above, has informed that the Commission has agreed with the proposal of Government to impose the above punishment against the Charged Officer.

8. Accordingly, Government hereby impose the punishment of 50% cut in pension permanently besides recovery of Rs.10,48,826/- (Rupees ten lakhs forty eight thousand eight hundred and twenty six only) against Sri Mohd. Hasan, Principal (Retd.), Govt. Junior College, (Boys), Mahaboobnagar, by withholding the encashment of Earned Leave, Gratuity and pension, and if the said amounts are not sufficient, by invoking the Revenue Recovery Act for attachment of properties to recoup the loss sustained to the Government, as per the orders issued in G.O.Rt.No.1097, Finance (Pen.I) Deptt., dt.22.06.2000, under Rule-9 of APRPRs, 1980.

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9. The Commissioner of Intermediate Education, A.P., Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
PRINCIPAL SECRETARY TO GOVERNMENT (S.E)

To
Sri Mohd. Hasan, Principal (Retd.),
Govt. Junior College, (Boys), Mahaboobnagar
through CIE, AP, Hyderabad.

The CIE, AP, Hyderabad.

Copy to:

The Secretary, APPSC, Hyderabad.

The AG, AP, Hyderabad.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER